

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Indictment No.: 20 CR 160 (MKV)

v.

JORGE NAVARRO, et al.,
(SETH FISHMAN and LISA
GIANNELLI),

NOTICE OF MOTION

Defendant.

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PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and Declaration of Maurice H. Sercarz and the exhibits attached thereto, defendant SETH FISHMAN and LISA GIANNELLI, hereby move this Court, before the Honorable Mary Kay Vyskocil for an Order precluding the introduction of the following evidence:

- (1) The introduction of evidence regarding an investigation into the death of a racehorse in Delaware in 2011;
- (2) Three categories of proffered “other crimes” evidence pursuant to *Huddleston v. United States*;
- (3) Evidence obtained from the defendant pursuant to a limited grant of immunity;
- (4) Certain expert testimony by three doctors of veterinary medicine that the government intends to call as witnesses;

In the alternative, the Government should be required to provide a more extensive summary of the evidence the Government seeks to elicit from its witnesses; and, defense counsel should be given an opportunity to respond to this more detailed proffer of evidence in accordance with Fed.R.Crim.P. Rule 16(a)(1)(G); and

For such other and further relief as to this Court may seem just and proper.

Dated: New York, New York
December 1, 2021

Respectfully submitted,

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